

CERTIFICATE UNDER 37 CFR 3.73(b)

First Applicant: MANTLO, Nathan Bryan

International Application No.: PCT/US2003/039118

Filed: 31 December 2003 (31.12.2003)

PCT Nat'l Entry Date:
(if applicable)

Entitled: THIOPHENE DERIVATIVE PPAR MODULATORS

ELI LILLY AND COMPANY, an Indiana Corporation

(Name of Assignee)

(Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above.☐ The assignment was recorded in the Patent and Trademark Office at Reel _____,
Frame.☒ The assignment is being submitted separately for recordation; a copy of this assignment is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with

the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

21 June 2005

Date

MaCharri Vorndran Jones

MaCharri Vorndran Jones

Patent Counsel

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number:

25885

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

| Name | Registration Number |
|------|---------------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

Eli Lilly and Company
Patent Division
PO Box 6288
Indianapolis, Indiana 46206-6288

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

| | | | |
|-----------|--|-----------|----------------|
| Name | Douglas K. Norman | | |
| Signature | <i>Douglas K. Norman</i> | Date | 10 August 2004 |
| Title | Deputy General Counsel, General Patent Counsel | Telephone | 317-433-1651 |

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION



Declaration Submitted with Initial Filing



Declaration Submitted after Initial Filing

Attorney Docket Number

X-15710

First Named Inventor

MANTLO, Nathan Bryan

COMPLETE IF KNOWN

Application Number

Filing Date

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THIOPHENE DERIVATIVES PPAR MODULATORS

the specification of which

☐ is attached hereto

OR

☒ was filed on
(MM/DD/YYYY)

12/31/2003

as United States Application Number or PCT International

Application
Number

PCT/US03/39118

and was amended on
(MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)

60/438,587

Filing Date (MM/DD/YYYY)

01/06/2003

☐ Additional provisional application
numbers are listed on a supplemental
priority sheet attached hereto.

**DECLARATION**

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|-----------------------------------|----------------------|------------------------------------|---|
| | | | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| Attorney Name | Reg. No. |
|----------------------|----------|
| Arvie J. Anderson | 45,263 |
| Lynn D. Apeltgren | 45,341 |
| Robert A. Armitage | 27,417 |
| Brian P. Barrett | 39,597 |
| Michael T. Bates | 34,121 |
| Roger S. Benjamin | 27,025 |
| Gary M. Birch | 48,881 |
| William R. Boudreaux | 35,796 |
| Steven P. Caltrider | 36,467 |
| Paul R. Cantrell | 36,470 |
| John Cleveland | 50,697 |
| Charles E. Cohen | 34,565 |
| Donald L. Corneglio | 30,741 |
| Gregory A. Cox | 47,504 |
| Paula K. Davis | 47,517 |
| John C. Demeter | 30,167 |
| Manisha A. Desai | 43,585 |
| Paul J. Gaylo | 36,808 |
| Caren D. Geppert | P54,117 |
| Francis O. Ginah | 44,712 |
| Amy E. Hamilton | 33,894 |
| Danica Hostettler | 51,820 |
| Thomas E. Jackson | 33,064 |
| Soonhee Jang | 44,802 |
| Gerald P. Keleher | 43,707 |
| James J. Kelley | 41,888 |
| Paul J. Koivuniemi | 31,533 |

| Attorney Name | Reg. No. |
|------------------------|----------|
| Thomas LaGrandeur | 51,026 |
| Robert E. Lee | 27,919 |
| James P. Leeds | 35,241 |
| Nelsen L. Lentz | 38,537 |
| Elizabeth A. McGraw | 44,646 |
| Douglas K. Norman | 33,267 |
| Arleen Palmberg | 40,422 |
| Thomas G. Plant | 35,784 |
| Edward Prein | 37,212 |
| Grant E. Reed | 41,264 |
| James J. Sales | 33,773 |
| Michael J. Sayles | 32,295 |
| David M. Stermerick | 40,187 |
| Mark J. Stewart | 43,936 |
| Robert D. Titus | 40,206 |
| Robert C. Tucker | 45,165 |
| Tina M. Tucker | 47,145 |
| MaCharri Vomdran-Jones | 36,711 |
| Gilbert T. Voy | 43,972 |
| Thomas D. Webster | 39,872 |
| Lawrence T. Welch | 29,487 |
| Alexander Wilson | 45,782 |
| Mark A. Winter | 53,782 |
| MaryAnn Wiskerchen | 45,511 |
| Dan L. Wood | 48,613 |

☐ Additional registered practitioner(s) named on a supplemental sheet attached hereto.

Direct all correspondence to:

| | | | | | |
|---------|--------------------------------|-----------|----------------|-----|----------------|
| Name | ELI LILLY AND COMPANY | | | | |
| Address | ATTN: MaCharri VORNDRAN-JONES | | | | |
| Address | Patent Division, P.O. Box 6288 | | | | |
| City | INDIANAPOLIS | State | INDIANA | ZIP | 46206-6288 |
| Country | US | Telephone | (317) 276-1665 | Fax | (317) 276-3861 |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A Petition has been filed for this unsigned inventor

| | | | | | | | |
|----------------------|---------------------------------|-------------|-------|-------------|--------|------------------|----|
| Given Name | Nathan | Middle Name | Bryan | Family Name | MANTLO | Suffix e.g. Jr. | |
| Inventor's Signature | <i>Nathan Bryan Mantlo</i> | | | | Date | 04 February 2004 | |
| Residence: City | Brownsburg | State | IN | Country | US | Citizenship | US |
| Address | 7325 East County Road 800 North | | | | | | |
| Post Office Address | SAME AS ABOVE | | | | | | |
| City | Brownsburg | State | IN | Zip | 46112 | Country | US |

☒ Additional Inventors are being named on supplement sheet(s) attached hereto.



DECLARATION

| | | | | | | | |
|--|------------------------|-------|----|---|-------|-------------|--------|
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A Petition has been filed for this unsigned inventor | | | |
| Given Name | Xiaodong | | | Middle Name | | Family Name | WANG |
| Inventor's Signature | | | | | | Date | 2/4/04 |
| Residence: City | Carmel | State | IN | Country | US | Citizenship | CN |
| Address | 14066 Honey Tree Drive | | | | | | |
| Post Office Address | SAME AS ABOVE | | | | | | |
| City | Carmel | State | IN | Zip | 46032 | Country | US |

| | | | | | | | |
|--|----------------------|-------|----|---|-------|-------------|--------|
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A Petition has been filed for this unsigned inventor | | | |
| Given Name | Guoxin | | | Middle Name | | Family Name | ZHU |
| Inventor's Signature | | | | | | Date | 2-5-04 |
| Residence: City | Noblesville | State | IN | Country | US | Citizenship | CN |
| Address | 9972 Parkshore Drive | | | | | | |
| Post Office Address | SAME AS ABOVE | | | | | | |
| City | Noblesville | State | IN | Zip | 46060 | Country | US |

| | | | | | | | |
|--|---------------|-------|--|---|--|-------------|--|
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A Petition has been filed for this unsigned inventor | | | |
| Given Name | | | | Middle Name | | Family Name | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | | State | | Country | | Citizenship | |
| Address | | | | | | | |
| Post Office Address | SAME AS ABOVE | | | | | | |
| City | | State | | Zip | | Country | |

| | | | | | | | |
|--|---------------|-------|--|---|--|-------------|--|
| Name of Additional Joint Inventor, if any: | | | | <input type="checkbox"/> A Petition has been filed for this unsigned inventor | | | |
| Given Name | | | | Middle Name | | Family Name | |
| Inventor's Signature | | | | | | Date | |
| Residence: City | | State | | Country | | Citizenship | |
| Address | | | | | | | |
| Post Office Address | SAME AS ABOVE | | | | | | |
| City | | State | | Zip | | Country | |